

**Fill in this information to identify the case:**

Debtor 1 Shyla Marie Kesler

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Eastern District of Michigan

Case number 16-47019-lsg

## Official Form 410S1

**Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

U.S. Bank Trust National Association,  
Name of creditor: as Trustee of the Dwelling Series III Trust

Court claim no. (if known): 5-1

Last 4 digits of any number you use to  
identify the debtor's account: 3 6 3 6

Date of payment change:  
Must be at least 21 days after date of this notice 12/01/2021

New total payment: \$ 772.49  
Principal, interest, and escrow, if any

**Part 1: Escrow Account Payment Adjustment****1. Will there be a change in the debtor's escrow account payment?**

- ☒ No
- ☐ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ \_\_\_\_\_ New escrow payment: \$ \_\_\_\_\_

**Part 2: Mortgage Payment Adjustment****2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**

- ☐ No
- ☒ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: 3.250% New interest rate: 3.125%

Current principal and interest payment: \$ 545.72 New principal and interest payment: \$ 541.59

**Part 3: Other Payment Change****3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**

- ☒ No
- ☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_ New mortgage payment: \$ \_\_\_\_\_

Debtor 1

**Shyla Marie Kesler**

First Name Middle Name Last Name

Case number (if known) **16-47019-lsg**

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

☐ I am the creditor.

☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

**X** /s/ Molly Slutsky Simons

Signature

Date **09/22/2021**

Print:

**Molly Slutsky Simons**

First Name Middle Name Last Name

Title **Attorney for Creditor**

Company

**Sottile & Barile, Attorneys at Law**

Address

**394 Wards Corner Road, Suite 180**

Number Street

**Loveland**

City

**OH**

State

**45140**

ZIP Code

Contact phone

**513-444-4100**

Email **bankruptcy@sottileandbarile.com**

SHYLA M KESLER  
6207 DELHI ST  
CLARKSTON MI 48348

September 20, 2021

RE: Loan Number: [REDACTED]

### Subsequent Interest Rate Adjustment Notice

THIS COMMUNICATION IS FROM A DEBT COLLECTOR. SN SERVICING CORPORATION, THEIR EMPLOYEES, AGENTS AND ATTORNEYS ARE ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED BY US WILL BE USED FOR THAT PURPOSE. TO THE EXTENT THAT YOU MAY HAVE RECEIVED A DISCHARGE IN BANKRUPTCY THIS COMMUNICATION SHOULD NOT BE CONSTRUED AS INTENT TO SUBJECT YOU TO PERSONAL LIABILITY FOR THE DISCHARGED DEBT.

#### Changes to Your Mortgage Interest Rate and Payments on November 1, 2021

Under the terms of your Adjustable-Rate Mortgage (ARM), you had a one-year period during which your interest rate stayed the same. That period ends on November 1, 2021, so on that date your interest rate and mortgage payment change. After that, your interest rate may change annually for the rest of your loan term.

	Current Rate and Monthly Payment	New Rate and Monthly Payment
Interest Rate	3.25%	3.125%
Total Monthly Payment	\$776.62	\$772.49 (due December 1, 2021)

**IMPORTANT:** To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this statement is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, Creditor retains rights under its security instrument, including the right to foreclose its lien.

**Interest Rate:** We calculated your interest rate by taking a published "index rate" and adding a certain number of percentage points, called the "margin." Under your loan agreement, your index rate is the WSJ 1 yr LIBOR and your margin is 2.875%. The WSJ 1 yr LIBOR index is published Daily in The Wall Street Journal. The index rate plus margin will be rounded to the nearest 0.125%.

**Rate Limits:** Your rate cannot go higher than 10.375%, or lower than 2.875% over the life of the loan. Your rate can increase annually by no more than 2.00%. Your rate can decrease annually by no more than 2.00%.

**New Interest Rate and Monthly Payment:** The table above shows your new interest rate and new monthly payment. These amounts are based on the WSJ 1 yr LIBOR index, your margin, your loan balance of 69,359.62, and your remaining loan term of 156 months.

**Prepayment Penalty:** None

Please continue to mail your payments as previously directed. The title and telephone number of a person who will answer any question you may have regarding this notice is:

Name: Marina Amador  
Title: Asset Manager  
Toll Free Number: (800) 603-0836, ext: 2712

**\*If your account is not contractually current, the new payment amount will not go into effect until your loan is due for 12/01/2021.**

**\*\*The index value used is the published value, as of the effective date stated on your Note, in the printed edition of the Wall Street Journal.**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
DETROIT DIVISION**

In Re:

Case No. 16-47019-lsg

Shyla Marie Kesler

Chapter 13

Debtor.

Judge Lisa S. Gretchko

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**PROOF OF SERVICE**

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The undersigned does hereby certify that a copy of the Notice of Mortgage Payment Change has been duly electronically serviced, noticed or mailed via U.S. First Class Mail, postage prepaid on September 22, 2021 to the following:

Shyla Marie Kesler, Debtor  
6207 Delhi  
Clarkston, MI 48348

Douglas P. Chimenti, Debtor's Counsel  
gigassocattorney@gmail.com

Paul B. Gigliotti, Debtor's Counsel  
ecfgigliotti@gmail.com

David Wm Ruskin, Trustee  
ecf-emails@det13.com

United States Trustee's Office  
(registeredaddress)@usdoj.gov

Respectfully Submitted,

/s/ Molly Slutsky Simons

Molly Slutsky Simons (OH 0083702)  
Sottile & Barile, Attorneys at Law  
394 Wards Corner Road, Suite 180  
Loveland, OH 45140  
Phone: 513.444.4100  
Email: bankruptcy@sottileandbarile.com  
Attorney for Creditor